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Attorneys for: *Plaintiff*

**FILED**  
DISTRICT COURT OF GUAM

JUN 27 2007

MARY L.M. MORAN  
CLERK OF COURT

**IN THE DISTRICT COURT OF GUAM**

JEREMY J. CAMACHO,

Plaintiff,

vs.

UNITED STATES OF AMERICA, NISSAN  
MOTORS CORPORATION IN GUAM, a  
Guam corporation, and TOKIO MARINE  
AND NICHIDO FIRE INSURANCE CO.,  
LTD.,

Defendants.

CIVIL CASE NO. CV07-00005

~~PROPOSED~~ *My*  
**SCHEDULING ORDER  
AND DISCOVERY PLAN**

Pursuant to Rule 16 and 26(f) of the Federal Rules of Civil Procedure, and Local Rule 16.1 for the District Court of Guam, the parties hereby submit the following Scheduling Order:

The nature of the case is as follows: This cause of action for personal injury resulting from an automobile accident, which occurred on or about December 6, 2003. Plaintiff prays for recovery of damages for medical expenses, past and future; pain and suffering and loss of enjoyment of like; and for reduced future earning capacity, all to be proven at trial.

1. The posture of the case is as follows:
  - a. The following motions are on file: None.
  - b. The following motions have been resolved: None.

ORIGINAL

**PROPOSED SCHEDULING ORDER AND DISCOVERY PLAN**

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c. The following discovery has been initiated: Defendants Nissan Motors Corporation in Guam and Tokio Marine and Nichido Fire Insurance Co., Ltd. Have served discovery requests on Plaintiff.

2. All motions to add parties and claims shall be filed on or before **September 21, 2007**.

3. All motions to amend pleadings shall be filed on or before **September 21, 2007**.

4. Status of Discovery:

a. The times for disclosures under Rules 26(a) and 26 (e) of the Federal Rules of Civil Procedure are modified as follows:

i. The "initial disclosures" described in subsections (A), (b), (C) and (D) of the Federal Rules of Civil Procedure 26(a)(1) shall be made on or before **May 31, 2007**.

ii. Initial Federal Rules of Civil Procedure (26)(a)(2) disclosures of expert witnesses shall be made on or before **January 21, 2008**.<sup>22 July</sup> Rebuttal disclosures shall be made on or before **February 25, 2008**.

iii. The "pretrial disclosures" described in Federal Rules of Civil Procedure 26(a)(3)(A), (B) and (C) shall be made at least thirty (30) days before the trial date, or by <sup>April 7 July</sup> ~~March 21~~, 2008.

b. The following is a description and schedule of all pretrial discovery each party intends to initiate prior to the close of discovery:

Plaintiffs: Plaintiffs obtain expert reports from experts identified by Defendants and depose proposed experts. Plaintiffs will also serve written discovery and take depositions as required.

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Defendants: Defendants obtain expert reports from experts identified by Plaintiffs and depose proposed experts. Defendants will likewise serve written discovery and take depositions as required.

5. The parties shall appear before the District Court of Guam on **June 27, 2007 at 9:00 a.m.** for the Scheduling Conference. The Scheduling Conference is currently set for June 20, 2007 at 9:00 a.m. Plaintiff's counsel will be off-island on that day. The parties hereby request that the Scheduling Conference be continued to June 27, 2007.

6. The discovery cut-off date is **December 21, 2007.**

7. The anticipated discovery motions are unknown.

All discovery motions shall be filed on or before **January 4, 2008**, <sup>by</sup> and ~~heard on or before February 1, 2008.~~

8. The anticipated dispositive motions are unknown.

All dispositive motions shall be filed on or before <sup>March 25 by</sup> ~~February 15, 2008~~, <sup>by</sup> and ~~heard on before March 14, 2008.~~

9. The prospects for settlement are unknown at this time.

10. The Preliminary Pretrial Conference shall be held on <sup>April 15 by</sup> ~~March 31, 2008~~ at **10:00 a.m.**

11. Filing of Trial Documents: The parties' pretrial materials, discovery materials, witness list, designations and exhibit lists as required by Local Rule 16.7(d) shall be filed on or before <sup>22 by</sup> **April 7, 2008.** (No later than fourteen (14) days prior to trial.) The deadlines for filing all other pretrial materials shall follow the deadlines established under the local rules.

12. The Proposed Pretrial Order shall be filed on or before <sup>22 by</sup> **April 7, 2008.**

13. The Final Pretrial Conference shall be held on <sup>April 29 by</sup> **April 14, 2008 at 2:30 p.m.** <sup>10:00 a.m. by</sup>

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14. The trial shall be held on <sup>May 6 AM</sup> ~~April 21~~, 2008 at 9:30 a.m. The parties request this date which is within eighteen (18) months from the date the matter was transferred to the District Court of Guam.

15. A jury has not been demanded.

16. It is anticipated that it will take four (4) days to try this case.

17. The names of counsel are as follows:

Plaintiff: Jeffrey A. Cook, Esq.  
**CUNLIFFE & COOK P.C.**  
Suite 200  
210 Archbishop F.C. Flores Street  
Hagåtña, Guam 96910  
Telephone: (671) 472-1824  
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Defendant United States of America:

Leonardo M. Rapadas, United States Attorney  
Mikel W. Schwab, Assistant United States Attorney  
**OFFICE OF THE UNITED STATES OF ATTORNEY**  
Suite 500, Sirena Plaza  
108 Hernan Cortez Street  
Hagåtña, Guam 96910  
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Defendants Nissan Motors Corporation in Guam and  
Tokio Marine and Nichido Fire Insurance Co., Ltd.

Terence E. Timblin, Esq.  
**MAHER YANZA FLYNN TIMBLIN LLP**  
115 Hesler Place  
Ground Floor, Governor Joseph Flores Building  
Hagåtña, Guam 96910  
Telephone: (671) 477-7059  
Facsimile: (671) 472-5487

18. The parties wish to submit this case to settlement conference.

19. The parties present the following suggestion for shortening the trial:

Unknown at this time.

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20. The following issues will also affect the status or management of the case:

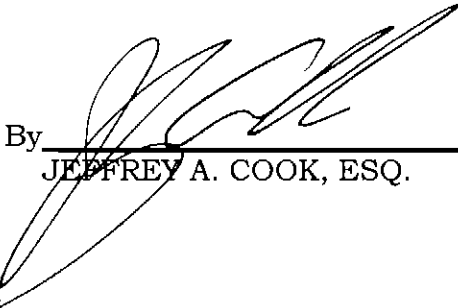
Unknown at this time.

**SO ORDERED** 6/27/2007.

  
**HON. JOAQUIN V.E. MANIBUSAN, JR.**  
Magistrates Judge  
**DISTRICT COURT OF GUAM**

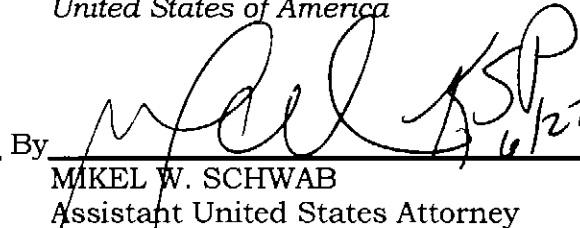
**SUBMITTED BY:**

DATED: May 31, 2007.  
**CUNLIFF & COOK**  
*A Professional Corporation*  
Attorneys for Plaintiff

By   
JEFFREY A. COOK, ESQ.

**APPROVED AS TO FORM  
AND CONTENT:**

DATED: \_\_\_\_\_  
**OFFICE OF THE  
UNITED STATES ATTORNEY**  
Attorneys for Defendant  
*United States of America*

By  6/27/07  
MIKEL W. SCHWAB  
Assistant United States Attorney

DATED: 6/1/07  
**MAHER YANZA FLYNN TIMBLIN LLP**  
Attorneys for Defendant  
*Nissan Motors Corporation in Guam and  
Tokio Marine and Nichido  
Fire Marine Insurance Co., Ltd.*

**RECEIVED**  
JUN - 4 2007  
DISTRICT COURT OF GUAM  
HAGATNA, GUAM

By   
TERENCE E. TIMBLIN, ESQ.